

THE HONORABLE RICARDO S. MARTINEZ

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON AT SEATTLE

LOCALS 302 AND 612 OF THE
INTERNATIONAL UNION OF
OPERATING ENGINEERS
CONSTRUCTION INDUSTRY HEALTH
AND SECURITY FUND; et al.,
Plaintiffs,

v.

PACIFIC RIM CONSTRUCTION, INC., a
Washington corporation,
Defendant.

NO. C09-0690 RSM

JUDGMENT

Summary of Judgment

Judgment Creditor:	Operating Engineers Trust Funds
Judgment Debtor:	Pacific Rim Construction, Inc.
Principal Judgment Amount:	\$5,656.74
Dues:	\$404.98
Interest to Date of Judgment:	\$135.87
Attorneys Fees:	\$528.00
Costs:	\$397.64
Liquidated Damages:	\$1,465.55
Other Recovery Amounts:	NONE
Total Recovery Amount:	\$8,588.78
Percent Interest on Contributions:	Twelve percent (12%) per annum
Percent Interest on Remaining Amounts other than Costs:	0.48% per annum pursuant to 28 U.S.C. § 1961
Interest Rate on Costs:	NONE
Attorneys for Judgment Creditor:	REID, PEDERSEN, McCARTHY & BALLEW, L.L.P.


THIS MATTER coming on for consideration upon Plaintiffs' motion for judgment against the Defendant, Plaintiffs being represented by their attorney, Russell J. Reid of Reid, Pedersen, McCarthy & Ballew, L.L.P., Defendant not being represented, and the Court having reviewed the records and file herein, including the affidavit of Russell J. Reid and the exhibits thereto in support of Plaintiffs' motion, and being fully advised in the premises, now, therefore, it is hereby

ORDERED, ADJUDGED AND DECREED that Plaintiffs be and hereby are awarded judgment against Defendant in the amounts hereinafter listed, which amounts are due the Plaintiff Trusts by Defendant for its inclusive employment of members of the bargaining unit represented by Local 302, with which the Defendant has a valid collective bargaining agreement, and which amounts are due by reason of its specific acceptance of the Declarations of Trust: for contributions of \$5,656.74 with interest accruing thereupon at the rate of twelve percent (12%) per annum from the date of entry hereof until fully paid; for dues of \$404.98, for liquidated damages of \$1,465.55, for pre-judgment interest of \$135.87, for attorneys' fees of \$528.00, with interest accruing upon these amounts at the rate of 0.48% per annum from the date of entry hereof until fully paid pursuant to 28 U.S.C. § 1961; and for costs of \$397.64, all for a total of \$8,588.78.

Since the foregoing contribution and dues amounts are based on information provided Plaintiffs in the Defendant's remittance reports alone and those amounts have not been verified through an independent audit, this judgment shall not foreclose Plaintiffs, based on res judicata principles or other legal principles, from collecting additional contributions, dues, liquidated damages, interest and attorneys fees for the time period March 2009 through May

2009, if a future audit or some other source reveals that Defendant owes the Plaintiffs additional amounts for said period, or from collecting contributions, liquidated damages, interest, attorney's fees and costs for any period other than March 2009 through May 2009.

JUDGMENT ENTERED this 30 day of June, 2009.

A handwritten signature in black ink, appearing to read 'R. Martinez', written over a horizontal line.

RICARDO S. MARTINEZ
UNITED STATES DISTRICT JUDGE

Presented for Entry by:

Russell J. Reid, WSBA #2560
of Reid, Pedersen, McCarthy & Ballew, L.L.P.
Attorneys for Plaintiffs